

## Agenda Item #: 3-C-19

### PALM BEACH COUNTY BOARD OF COUNTY COMMISSIONERS AGENDA ITEM SUMMARY

Meeting Date: March 11, 2008

☒ Consent    ☐ Regular  
☐ Workshop    ☐ Public Hearing

Department:

Submitted By: Engineering & Public Works

Submitted For: Roadway Production Division

=====

#### I. EXECUTIVE BRIEF

**Motion and Title:** Staff recommends motion to approve: The renewal of the Municipal Service Taxing Unit (MSTU) Districts "A through E" Services Agreement with the following firm: Civil Design, Inc., the original agreement was dated April 10, 2007 (R2007-0462).

**Summary:** This Agreement is being considered for a one year renewal for required professional services, on a task order basis. Countywide (PFK)

**Background and Justification:** In accordance with Board-adopted procedures pursuant to Florida Statutes 287.055 Consultants Competitive Negotiations Act (CCNA), the above listed consulting firm was selected to perform professional services relative to Palm Beach County (County) needs, and is presently under Agreement with the County on an annual contractual basis. This is the first renewal of this firm's Agreement. It is the consensus of the user departments that this consulting firm has, within the provisions of their Agreement, provided the professional services requested by the County. Since they remain in good standing and wish to continue to provide the professional services as indicated in their Agreement, the County agrees to renew their Agreement for one (1) year.

This Agreement has been reviewed with the above listed consulting firm, and staff recommends the first renewal of the attached consultant Annual Agreement. This transaction will maintain the continuous process of professional services required by the County.

#### **Attachments:**

1. Agreement with Exhibits and Certificate of Insurance (2)
- \_\_\_\_\_

Recommended By: \_\_\_\_\_  
Director Date

Approved By: S. T. Wald 2/13/08  
County Engineer Date

## II. FISCAL IMPACT ANALYSIS

### A. Five Year Summary of Fiscal Impact:

Fiscal Years	2008	2009	2010	2011	2012
Capital Expenditures	-0-	-0-	-0-	-0-	-0-
Operating Costs	-0-	-0-	-0-	-0-	-0-
External Revenues	-0-	-0-	-0-	-0-	-0-
Program Income (County)	-0-	-0-	-0-	-0-	-0-
In-Kind Match (County)	-0-	-0-	-0-	-0-	-0-
NET FISCAL IMPACT	-0-	-0-	-0-	-0-	-0-
# ADDITIONAL FTE	-0-	-0-	-0-	-0-	-0-
POSITIONS (CUMULATIVE)	-0-	-0-	-0-	-0-	-0-

Is Item Included in Current Budget? Yes    No X

**Budget Account No.:**

Fund	Agency	Organization	Object	Amount
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**B. Recommended Sources of Funds/Summary of Fiscal Impact:**



**This item has no fiscal impact.**

C. Departmental Fiscal Review: R.D. Ward 1/25/08

### III. REVIEW COMMENTS

**A. OFMB Fiscal and/or Contract Administration Comments:**

**Fiscal and/or Contract Administration Comments:**  
Task order basis, Fiscal impact is indeterminable at this time.

  
 OFMB 2-21-08  
 2/21/08 5/20/08 2/14/08  
  
 Contract Administration 2/22/08  
 2/21/08  
 This item complies with current

**This item complies with current  
County policies.**

**B. Legal Sufficiency:**

Paul F. Ky 2/25/08  
Assistant County Attorney

**C. Other Department Review:**

**Department Director**

**This summary is not to be used as a basis for payment.**



**CIVIL DESIGN, INC.**  
ENGINEERING CONSULTANTS

January 17, 2008

Palm Beach County Board of Commissioners  
c/o: Engineering & Public Works Department  
2300 North Jog Road  
West Palm Beach, FL 33411-2745  
Attention: David Young, P.E., Special Projects Manager

**RE: MSTU ANNUAL AGREEMENT (R2007-0462) DATED APRIL 10, 2007**

Dear Mr. Young:

This letter serves as our official notification of interest in continuing our Agreement with Palm Beach County for professional services as specified in the above reference, for the period of April 10, 2008 through April 9, 2009.

We are in agreement that all provisions in the original Agreement remain in full force and effect. Per your request, we are enclosing an updated fee schedule, State Registration, General, Automobile, and Professional Liability Insurance Certificates, and all appropriate affidavits.

Please indicate your acceptance of this proposal by proper signature below and returning same as fully executed to this office.

Sincerely,

Civil Design, Inc.

T. Jeff Trompeter, P.E., President

1/17/08

DATE

Attest:

Denise A. Bas, Secretary

1/17/08

DATE

CORPORATE  
SEAL

Accepted by:  
Palm Beach County Board of Commissioners

Attest:  
Sharon R. Bock, Clerk and Comptroller

BY: \_\_\_\_\_  
Addie L. Greene, Chairperson

BY: \_\_\_\_\_  
Deputy Clerk

Approved As To Form & Legal Sufficiency:

Approved as to Terms and Conditions:

\_\_\_\_\_  
County Attorney



**CIVIL DESIGN, INC.**  
ENGINEERING CONSULTANTS

**EXHIBIT "B"**  
**April 10, 2008 through April 9, 2009**

**TASK ORDER BASIS - FEE SCHEDULE**

**AGREEMENT FOR MUNICIPAL SERVICES TAXING UNITS (MSTU) DISTRICTS A-E  
ON A TASK ORDER BASIS  
PALM BEACH COUNTY**

**HOURLY RATES:**

<b><u>Personnel Classification:</u></b>	<b><u>Labor Rate</u></b>	<b><u>Hourly Rate</u></b>
1. Project Manager/Senior Professional Engineer .....	\$46.88 .....	\$139.23
2. Project Engineer .....	\$34.62 .....	\$102.82
3. Engineer Intern/Designer.....	\$26.44 .....	\$78.53
4. Engineering AutoCAD Technician.....	\$16.00 .....	\$47.52
5. Engineering Field Representative.....	\$19.00 .....	\$56.43

**SUB-CONSULTANTS:**                      Dunkelberger Engineering & Testing, Inc. (Geotechnical)  
Dennis J. Leavy & Associates, Inc. (Survey)

**MULTIPLIER CALCULATIONS:**

Salary	1.00
Fringe Benefits/General Operations	1.65
Subtotal	2.65
Profit @ 12%	0.32
<b>TOTAL</b>	<b>2.97 (unchanged from original agreement 4/10/07)</b>

**ADDITIONAL SERVICES:**

Any additional services required will be as authorized and approved by the Owner, Palm Beach County.

**REIMBURSABLE EXPENSES:**

Reimbursement for Direct Project Expenses will be determined for each Project, as required.

**CONFLICT OF INTEREST DISCLOSURE FORM**

ENGINEER represents that it presently has no interest, either direct or indirect, which would or could conflict in any manner with the performance of services for the County, except as follows:

None.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Attach additional sheets as needed.)

ENGINEER further represents that no person having any interest shall be employed for said performance. By signing below, ENGINEER certifies that the information contained herein is true and correct and constitutes all current potential conflicts of interest which may influence or appear to influence ENGINEER'S judgment or quality of services being provided to the County.

ENGINEER shall promptly notify the COUNTY in writing by certified mail of all potential conflicts of interest that may arise in the future through any prospective business association, interest or other circumstance which may influence or appear to influence ENGINEER'S judgment or quality of services being provided to the County. Such written notification shall identify the prospective business association, interest or circumstance, the nature of work that ENGINEER may undertake and request an opinion of the COUNTY as to whether the association, interest or circumstance would, in the opinion of the COUNTY, constitute an unacceptable conflict of interest if entered into by the ENGINEER.

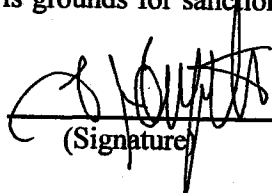
If, in the sole opinion of the COUNTY, the prospective business association, interest or circumstance of ENGINEER would constitute an unacceptable conflict of interest to the COUNTY, the COUNTY shall so state in the notification and the ENGINEER shall not enter into said association, interest or circumstance.

**THIS DISCLOSURE** is submitted by T. Jeff Trompeter, as  
(Name of Individual)

President, of Civil Design, Inc.

(Title/Position) (Firm Name of ENGINEER)

who hereby certifies that the information stated above is true and correct. Further, it is hereby acknowledged that any misrepresentation by the Consultant on this Disclosure is considered an unethical business practice and is grounds for sanctions against future County business with the Consultant.

  
(Signature)

1/17/08  
(Date)

Client#: 9256

CIVIDES31

**ACORD™ CERTIFICATE OF LIABILITY INSURANCE**DATE (MM/DD/YYYY)  
09/27/07

<b>PRODUCER</b> Suncoast Insurance Associates P.O. Box 22668 Tampa, FL 33622-2668 813 289-5200		<b>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW.</b>	
<b>INSURED</b> Civil Design, Inc. 120 South Olive Ave., Suite #403 West Palm Beach, FL 33401		<b>INSURERS AFFORDING COVERAGE</b>	<b>NAIC #</b>
		INSURER A: Travelers Indemnity Co of America	25666
		INSURER B: Travelers Casualty and Surety Co	19038
		INSURER C: XL Specialty Insurance Company	37885
		INSURER D:	
		INSURER E:	

**COVERAGES**

THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. AGGREGATE LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR ADD'L LTR	INSRG	TYPE OF INSURANCE	POLICY NUMBER	POLICY EFFECTIVE DATE (MM/DD/YY)	POLICY EXPIRATION DATE (MM/DD/YY)	LIMITS
A		<b>GENERAL LIABILITY</b> <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC	660-5883L455	10/01/07	10/01/08	EACH OCCURRENCE \$1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$300,000 MED EXP (Any one person) \$5,000 PERSONAL & ADV INJURY \$1,000,000 GENERAL AGGREGATE \$2,000,000 PRODUCTS - COMPROP AGG \$2,000,000
A		<b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> ALL OWNED AUTOS <input type="checkbox"/> SCHEDULED AUTOS <input checked="" type="checkbox"/> HIRED AUTOS <input checked="" type="checkbox"/> NON-OWNED AUTOS	BA-6731L783	10/01/07	10/01/08	COMBINED SINGLE LIMIT (Ea accident) \$1,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
		<b>GARAGE LIABILITY</b> <input type="checkbox"/> ANY AUTO				AUTO ONLY - EA ACCIDENT \$ OTHER THAN AUTO ONLY: EA ACC \$ AGG \$
		<b>EXCESS/UMBRELLA LIABILITY</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS MADE  DEDUCTIBLE RETENTION \$				EACH OCCURRENCE \$ AGGREGATE \$ \$ \$ \$
B		<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? If yes, describe under SPECIAL PROVISIONS below	UB5408Y719	10/01/07	10/01/08	<input checked="" type="checkbox"/> WC STATU-TORY LIMITS <input type="checkbox"/> OTH-ER E.L. EACH ACCIDENT \$500,000 E.L. DISEASE - EA EMPLOYEE \$500,000 E.L. DISEASE - POLICY LIMIT \$500,000
C		<b>OTHER Professional Liability</b>	DPR9608890	10/01/07	10/01/08	\$1,000,000 per claim \$2,000,000 annl aggr.

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES / EXCLUSIONS ADDED BY ENDORSEMENT / SPECIAL PROVISIONS

Professional Liability is written on a claims-made basis.

Palm Beach County Board of County Commissioners, a Political Subdivision of the State of Florida, its Officers, Employees and Agents are listed as additional insureds with respects to the General Liability and Auto (See Attached Descriptions)

**CERTIFICATE HOLDER****CANCELLATION**

Palm Beach County  
c/o Department of Engineering & Public Works  
2300 N. Jog Rd.  
3rd Floor  
West Palm Beach, FL 33411-2745

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, THE ISSUING INSURER WILL ENDEAVOR TO MAIL 30 DAYS WRITTEN NOTICE TO THE CERTIFICATE HOLDER NAMED TO THE LEFT, BUT FAILURE TO DO SO SHALL IMPOSE NO OBLIGATION OR LIABILITY OF ANY KIND UPON THE INSURER, ITS AGENTS OR REPRESENTATIVES.

AUTHORIZED REPRESENTATIVE



### **IMPORTANT**

If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

### **DISCLAIMER**

The Certificate of Insurance on the reverse side of this form does not constitute a contract between the issuing insurer(s), authorized representative or producer, and the certificate holder, nor does it affirmatively or negatively amend, extend or alter the coverage afforded by the policies listed thereon.

### DESCRIPTIONS (Continued from Page 1)

Liability policy with respects to Provide Engineeering Services requires  
for Municipal Service Taxing Unit (MTSU) Districts A through E.  
Professional Liability Retroactive date: 10/01/2003.  
Project Name: "FOR ALL PROJECTS WITH PALM BEACH COUNTY".